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11 Attorneys for Defendant GOOGLE INC.

12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   SAN FRANCISCO DIVISION

15 ORACLE AMERICA, INC.,   Case No. 3:10-cv-03561 WHA (DMR)

16   Plaintiffs,   **GOOGLE'S RESPONSE TO COURT'S
                                         REQUEST RE: EXPERTS (ECF 1631)**
17   v.
                                         Dept.:   Courtroom 8, 19th Fl.
18 GOOGLE INC.,   Judge: Hon.William Alsup

19   Defendant.

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1   Google has disclosed one expert, Rick Cattell, whose testimony has not been the subject

2   of a filed motion *in limine*.[1] Unexpected medical issues have prevented him and may continue to

3   prevent him from testifying in deposition or trial. If appropriate, Google will meet and confer

4   with Oracle regarding presenting Dr. Cattell as a witness, both at deposition and trial.

5   Google has engaged Dr. Cattell to provide expert testimony about Application

6   Programming Interfaces ("APIs"), including what APIs are, why APIs and the re-implementation

7   of APIs are important, and industry practices regarding APIs. Dr. Cattell is a former Sun

8   Distinguished Engineer, and his work history includes several years working in Sun's JavaSoft

9   division. Dr. Cattell's testimony would largely be in the nature of fact testimony, but Google

10   disclosed him as an expert and served a brief (14 page) report authored by Dr. Cattell because

11   some of his testimony arguably is expert testimony. In brief, Dr. Cattell would offer the

12   following opinions:

13   1.   The Java APIs are the functional means used by Java language programmers to

14   invoke commonly used functionality.

15   2.   If Android required the use of different APIs to allow programmers to invoke the

16   same functionality that is invoked by the Java APIs, that would be contrary to his expectations as

17   a programmer writing in the Java programming language, and the expectations and demands of

18   the programming community.

19   3.   If he, as a programmer writing in the Java programming language, had to use

20   different APIs to invoke the same functionality on different platforms, that would have many

21   negative consequences, and would be contrary to the expectations and demands of the

22   programming community.

23   4.   Re-implementing APIs is commonplace in the computing industry, and has long

24   been consistent with custom and practice in the computing industry. Indeed, Oracle has itself

25   reimplemented IBM's SQL APIs in its relational database products.

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[1] Dr. Cattell's report is mentioned in one of Oracle's "summary" motions *in limine,* but those
28   summary motions have not yet been filed with the Court. Specifically, Oracle objects to
testimony from Dr. Cattell about Oracle's past practices with regard to IBM's SQL APIs.

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1   Dated: April 12, 2016   KEKER & VAN NEST LLP

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3   By: /s/ Robert A. Van Nest
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